

## Message Text

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C O N F I D E N T I A L STATE 299729

E.O. 11652: GDS

TAGS: PFOR, EAIR, WB, US, UK, FR

SUBJECT: TRIPARTITE TALKS ON BERLIN CHARTER SERVICES:  
DRAFT STATEMENT OF PRINCIPLES AND GUIDELINES

THIS MESSAGE TRANSMITS A DRAFT STATEMENT OF PRINCIPLES  
AND GUIDELINES ON BERLIN CHARTER SERVICES WHICH  
DEPARTMENT HAS PREPARED FOR NEXT WEEK'S TRIPARTITE TALKS  
IN BONN. DELEGATION MEMBERS WILL WISH TO DISCUSS TEXT  
WITH MISSION AND EMBASSY BEFORE TALKS BEGIN. CONTENT  
OF DRAFT HAS ALSO BEEN DISCUSSED WITH AN AMERICAN  
REPRESENTATIVES.

BEGIN TEXT:

1. AIR SERVICES BY CARRIERS OF THE UNITED STATES, THE  
UNITED KINGDOM AND FRANCE ARE VITAL TO THE SURVIVAL OF  
WEST BERLIN.

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A. THE CITY'S INHABITANTS DEPEND ON THE THREE POWERS TO

PROVIDE A FULL RANGE OF AIR SERVICES TO MEET THEIR NEEDS FOR SAFE AND RAPID TRAVEL FOR BUSINESS AND PLEASURE. THE AVAILABILITY OF BROAD OPPORTUNITIES FOR PRIVATE AIR TRAVEL IS AN IMPORTANT FACTOR IN ENCOURAGING INDIVIDUALS TO LIVE IN BERLIN.

B. WEST BERLIN'S MANUFACTURING AND COMMERCIAL ENTERPRISES DEPEND ON SCHEDULED SERVICES PROVIDED BY THE THREE POWERS TO CONDUCT BUSINESS WITH THE FEDERAL REPUBLIC AND THE REST OF EUROPE.

C. THE AIR CORRIDORS AND THE FOUR POWER REGIME UNDER WHICH AIR SERVICES ARE CONDUCTED REMAIN THE ONLY SECURE MEANS OF CONNECTING WEST BERLIN WITH THE OUTSIDE WORLD.

D. PERHAPS MOST IMPORTANTLY, INHABITANTS OF BERLIN VIEW THE COMMITMENT OF THE THREE POWERS TO MAINTAIN A FULL RANGE OF AIR SERVICES AND TO EXPAND WEST BERLIN'S CONTACTS WITH THE OUTSIDE WORLD THROUGH ADDITIONAL SERVICES, BOTH SCHEDULED AND CHARTER, AS AN IMPORTANT TEST OF ALLIED DETERMINATION TO MAINTAIN THE FREEDOM OF THE CITY. FAILURE OF THE THREE POWERS TO TAKE ACCOUNT OF THIS FACTOR COULD RESULT IN CONSIDERABLE DAMAGE TO THE MORALE OF BERLIN'S POPULATION AND TO THE WILLINGNESS OF INDUSTRY AND WORKERS TO REMAIN IN THE CITY.

E. THE DEGREE OF ALLIED MAINTENANCE OF A FULL RANGE OF AIR SERVICES IS ALSO VIEWED BY THE FEDERAL REPUBLIC AS A VITAL INDICATOR OF THE DEGREE OF THREE POWER COMMITMENT TO MANAGEMENT IN WEST BERLIN. THE WEST GERMANS ARE GRATEFUL FOR THIS SIGN OF ALLIED WILLINGNESS TO PROVIDE BERLIN WITH A SERVICE WHICH GERMAN CARRIERS, FOR WELL-KNOWN REASONS, ARE NOT ABLE TO MOUNT. AT THE SAME TIME, THE FEDERAL REPUBLIC IS SENSITIVE TO INDICATIONS THAT ALLIED CARRIERS MAY BE TAKING ADVANTAGE OF THEIR SPECIAL POSITION IN BERLIN FOR ADDITIONAL COMMERCIAL GAIN. THE WEST GERMANS CONSIDER THE MAINTENANCE AND EXPANSION OF BOTH SCHEDULED AND CHARTER SERVICES TO BE A PREREQUISITE FOR CONTINUED FRG SUBSIDIES TO THE INNER-GERMAN SERVICES.

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2. IN LIGHT OF THE SPECIAL IMPORTANCE OF ALLIED AIR SERVICES TO BERLIN, THE THREE POWERS SHOULD EXERCISE THEIR RESPONSIBILITIES FOR PROVIDING AIR CONNECTIONS TO AND FROM BERLIN ON THE BASIS OF THE FOLLOWING GENERAL PRINCIPLES:

A. ALLIED GOVERNMENTS SHOULD ENDEAVOR TO SEE TO IT THAT CIVIL AIR CONNECTIONS CONTRIBUTE TO THE MAINTENANCE OF A

BROAD SPECTRUM OF CONTACTS BETWEEN WEST BERLIN AND THE OUTSIDE WORLD AND THAT BERLINERS ARE OFFERED A VARIETY OF AIR TRAVEL ALTERNATIVES. IN PARTICULAR, ALLIED GOVERNMENTS SHOULD REFRAIN FROM USING THEIR SHARED RESPONSIBILITY FOR BERLIN CIVIL AVIATION IN A FASHION WHICH LIMITS THE CITY'S TIES WITH THE OUTSIDE WORLD.

B. THE PROVISION OF SCHEDULED AIR SERVICES TO AND FROM WEST BERLIN SHOULD REMAIN THE PRINCIPAL CIVIL AVIATION PRIORITY OF THE THREE POWERS.

C. CHARTER SERVICES TO AND FROM BERLIN SHOULD BE ENCOURAGED IN ORDER TO PROVIDE RESIDENTS OF BERLIN WITH LOW COST AIRLINE TRAVEL NOT NORMALLY POSSIBLE ON SCHEDULED SERVICES. THE GOAL SHOULD BE TO PROVIDE THE SAME RANGE OF AIR TRAVEL ALTERNATIVES AVAILABLE TO RESIDENTS OF THE FRG. ALL THREE POWERS SHOULD BE EQUALLY ENTITLED TO PROVIDE SUCH NON-SCHEDULED SERVICES.

D. TO ENSURE MAINTENANCE OF THE IMPORTANT SCHEDULED SERVICES, THE THREE POWERS SHOULD ENDEAVOR TO ENSURE THAT THE BRITISH, AMERICAN AND FRENCH AIRLINES PARTICIPATING IN SCHEDULED SERVICES TO WEST BERLIN HAVE AN OPPORTUNITY TO EARN AN APPROPRIATE RETURN.

E. THE ALLIED GOVERNMENTS SHOULD ENDEAVOR, THROUGH THEIR CIVIL AIR ATTACHES TO ENSURE THAT EXISTING REGULATORY PROCEDURES GOVERNING NON-SCHEDULED SERVICES ARE MAINTAINED AND IMPLEMENTED IN SUCH A WAY THAT CONFLICTS BETWEEN SCHEDULED AND NON-SCHEDULED SERVICES IS AVOIDED.

F. IN THE EVENT OF CONFLICT BETWEEN SCHEDULED AND NON-SCHEDULED SERVICES, IN PARTICULAR IN CASES OF

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DEMONSTRATED UNDUE DIVERSION BY ONE TYPE OF SERVICE FROM ANOTHER, ALLIED GOVERNMENTS WOULD AGREE TO CONSULT PROMPTLY ON MUTUALLY ACCEPTABLE MEANS OF CORRECTING THE SITUATION. THE CONSULTATIONS SHALL BE CONDUCTED ON THE BASIS OF THE ABOVE PRINCIPLES AND IN ACCORDANCE WITH THE SPECIFIC GUIDELINES SET FORTH BELOW.

3. THE FOLLOWING GUIDELINES PERTAIN TO SCHEDULED AIR SERVICES:

A. THE BACKBONE OF THREE POWER AIRLINES SERVICES ARE THE EXTENSIVE CONNECTIONS BETWEEN WEST BERLIN AND THE MAJOR CITIES OF THE FRG. THESE SERVICES MAINTAIN THE BASIC INTEGRITY OF THE AIR CORRIDORS AND OF ALLIED RIGHTS TO STAFF AND PROVISION BERLIN. THEY ALSO PROVIDE THE

IMPORTANT REGULAR PASSENGER CONNECTIONS BETWEEN BERLIN AND THE FRG WHICH ARE VITAL TO CONTINUED VIABILITY OF THE CITY. FIRST PRIORITY MUST BE GIVEN TO MAINTAINING THESE IMPORTANT INNER-GERMAN SERVICES.

B. DIRECT LINKS BY SCHEDULED SERVICE BETWEEN WEST BERLIN AND POINTS OUTSIDE THE FRG ARE ANOTHER IMPORTANT PART OF THE NETWORK OF AIR SERVICES PROVIDED BY ALLIED CARRIERS. THERE SHOULD BE AS MANY DIRECT SCHEDULED SERVICES AS POSSIBLE, KEEPING IN MIND THAT SUCH SERVICES SHOULD NOT ADVERSELY AFFECT THE PRIORITY INNER-GERMAN SERVICES.

C. IN ORDER TO ENSURE CONTINUED DEVELOPMENT OF THE CHARTER MARKET, THE THREE POWERS SHOULD BE CAREFUL NOT TO REDUCE THE OPPORTUNITIES OF CHARTER OPERATORS BY ALLOWING SCHEDULED SERVICES TO OFFER BELOW-COST AIR FARES.

4. THE FOLLOWING GUIDELINES PERTAIN TO CHARTER SERVICES:

A. THE NETWORK OF CHARTER SERVICES ESTABLISHED IN RECENT YEARS BY SCHEDULED AND NON-SCHEDULED AIRLINES OF THE - - THREE POWERS HAVE BEEN AN IMPORTANT FACTOR IN MAINTAINING THE ATTRACTIVENESS OF WEST BERLIN AS A PLACE TO LIVE AND WORK. CHARTER SERVICES PROVIDE BERLIN RESIDENTS WITH A RAPID AND INEXPENSIVE MEANS OF ESCAPING THE ISOLATION OF THEIR CITY, ESPECIALLY FOR HOLIDAY TRAVEL. THE GROWTH  
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OF THE CHARTER MARKET IN RECENT YEARS DEMONSTRATES THE IMPORTANCE OF CHARTER SERVICES IN MAINTAINING MORALE IN BERLIN. MEETING TO THE FULLEST EXTENT POSSIBLE THE DEMAND FOR CHARTER SERVICE TO VACATION AREAS IN SOUTHERN AND EASTERN EUROPE AND TO MAJOR CITIES IN NORTHERN EUROPE IS AN IMPORTANT GOAL OF THE THREE POWERS, KEEPING IN MIND THE PRINCIPLES ENUMERATED ABOVE.

B. CHARTER SERVICES WHICH ARE APPROPRIATELY REGULATED IN ACCORDANCE WITH EXISTING REGULATORY PROCEDURES TO AVOID ANY UNDUE EFFECTS ON THE VIABILITY OF SCHEDULED SERVICES DO NOT CONSTITUTE A DIRECT THREAT TO THESE SCHEDULED SERVICES. HOWEVER, GIVEN THE IMPORTANCE OF SCHEDULED SERVICES, CARE SHOULD BE TAKEN TO ENSURE THAT REGULATORY PROCEDURES ARE SUFFICIENT TO PROTECT THE SCHEDULED SERVICES AND THAT THE REGULATIONS ARE BEING ENFORCED. THESE REGULATIONS SHOULD BE REVIEWED REGULARLY TO ENSURE THAT THEY ARE CONSONANT WITH THE BEST INTERESTS OF THE BERLIN TRAVELLING PUBLIC AND WITH MAINTENANCE OF SCHEDULED SERVICES.

C. IN THE CASES OF DEMONSTRATED UNDUE DIVERSION BY ONE

TYPE OF SERVICE FROM THE OTHER, THE THREE POWERS  
SHOULD COMMENCE CONSULTATIONS AS PROVIDED IN PARAGRAPH 2F  
ABOVE. STEPS WHICH COULD BE CONSIDERED IN SUCH  
CONSULTATIONS INCLUDE:

I. ADDITIONAL RESTRICTIONS ON TIMING, DURATION AND  
PURPOSE OF TRAVEL.

II. TO AVOID ABUSE OF RETURN COUPONS, THERE COULD BE A  
SPECIFIC PER DIEM ADD ON, AND THE USE OF SEPARATE COUPONS  
FOR THE OUTWARD AND RETURN HALF OF THE JOURNEY COULD BE  
PREVENTED.

III. CERTAIN SCHEDULED AIR FARES, SUCH AS PART CHARTERS,  
COULD BE REVIEWED TO DETERMINE WHETHER THEY WERE BELOW  
COST, SUBSIDIZED BY NORMAL FARES OR DEPRIVING TRAFFIC  
WHICH MUST USE SCHEDULED SERVICES OF AVAILABLE SEATS.

IV. MINIMUM RATES COULD BE ADOPTED FOR NON-SCHEDULED  
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SERVICES.

V. CAPACITY LIMITATIONS COULD BE APPLIED EQUITABLY AMONG  
CARRIERS PROVIDING CHARTER SERVICES FROM WEST BERLIN TO  
A SPECIFIC MARKET.

END TEXT. ROBINSON

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